SUPREME COURT OF THE UNITED STATES

94–8988 (5) ANTHONY LEO STUTSON
v.
UNITED STATES

ON PETITION FOR WRIT OF CERTIORARI TO THE UNITED STATES COURT OF APPEALS FOR THE ELEVENTH CIRCUIT

94–9323 (5) ALEXIS LAWRENCE, GUARDIAN AND NEXT FRIEND ON BEHALF OF KEMMERLYN D. LAWRENCE, A MINOR
v.
SHIRLEY S. CHATER, COMMISSIONER OF SOCIAL SECURITY

ON PETITION FOR WRIT OF CERTIORARI TO THE UNITED STATES COURT OF APPEALS FOR THE FOURTH CIRCUIT

Nos. 94–8988 AND 94–9323. Decided January 8, 1996

JUSTICE STEVENS, concurring.

The Court persuasively explains why we have "the power to remand to a lower federal court any case raising a federal issue which is properly before us in our appellate capacity." No. 94–9323, at 3. That conclusion comports with a primary characteristic—and, I believe, virtue—of our discretionary authority to manage our certiorari docket: our ability to apply the "totality-of-the-circumstances" approach that JUSTICE SCALIA finds objectionable. *Post,* at 15. The Court's wise disposition of these petitions falls squarely within the best traditions of its administration of that docket. I therefore join the Court's opinions.

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